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TO RUEHC/SECSTATE WASHDC PRIORITY 5963
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RUEHBR/AMEMBASSY BRASILIA PRIORITY 5734
RUEHLP/AMEMBASSY LA PAZ PRIORITY 2294
RUEHPE/AMEMBASSY LIMA PRIORITY 0542
RUEHMU/AMEMBASSY MANAGUA PRIORITY 1433
RUEHME/AMEMBASSY MEXICO PRIORITY 3979
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RUEHQT/AMEMBASSY QUITO PRIORITY 2378
RUEHTC/AMEMBASSY THE HAGUE PRIORITY 1080
RUEHROV/AMEMBASSY VATICAN PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 0465
RUMIAAA/HQ USSOUTHCOM MIAMI FL PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RUEHUB/USINT HAVANA PRIORITY 0950
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C O N F I D E N T I A L SECTION 01 OF 03 CARACAS 002520

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DEPT PASS TO AID/OTI RPORTER

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SUBJECT: INTERNATIONAL COOPERATION LAW STALLED - FOR NOW

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Classified By: Dan Lawton, Acting Political Counselor,
for Reason 1.4(b).

SUMMARY

11. (C) A three part deterrence strategy which included civil society involvement, media pressure and diplomatic efforts dissuaded the National Assembly from approving the International Cooperation Law by the August 15th deadline it initially set for its passage. This law would effectively put an end to civil society by forcing them to register with a new governmental agency, have their work plans placed under governmental approval, and have their international funding filtered through a government body. While the BRV is very likely to raise the law again, the campaign mounted against it represents a success in the defense of democracy and highlights some important BRV weaknesses. End Summary

12. (C) According to National Assembly timetables, as well as internal discussions by the National Assembly Deputies working on the law, the National Assembly had set a fast-track date for approval of the International Cooperation Law of August 15. However, due to pressure received from various sectors, the approval process for the law has stalled and the National Assembly has gone into recess until mid September. However, NA Deputies still claim that their desire is to approve this law during the 2006 sessions (which end December 15).

Civil Society Activities:

13. (C) International funding for Venezuelan NGOs has been questioned by the BRV for more than two years. In response to the increasing hostility, USAID sponsored a seminar in early 2004 to give the NGO community an opportunity to

educate themselves regarding the legality of such funding as a first step in bringing the NGOs together around the issue. In mid 2005, rumors began circulating that the National Assembly was preparing and discussing, behind closed doors, an NGO law to place onerous new limits on Venezuelan civil society.

¶4. (C) In November 2005 aidoffs obtained a copy of the draft law. With the physical evidence of the law in hand, USAID then sponsored another event specifically addressing the draft law (which is very similar to and likely based upon the Russian NGO law). This event was held on May 5, and brought the issue to public attention. In response to the threat this law represented, the NGO community has rallied in opposition to the law. It came out with a declaration, sponsored by over 100 NGOs, in opposition to the law. Civil society groups also carried out nine different events over the three month period (four financially supported by USAID) which brought attention to the law.

¶5. (C) In order to get the international community involved in the discussion of the law, USAID also funded the following: 1) An event was held in Mexico with Venezuelan journalists (supported by USAID's Freedom House Program) 2) Freedom House supported a discussion of the NGO law with Venezuelan and Chilean lawyers in Santiago, 3) A key Venezuelan umbrella group attended the CIVICUS annual conference in Glasgow to speak about the law (CIVICUS is a network of over 1000 of the largest and most important NGOs in the world working in citizen participation), 4) Two Venezuelan groups visited the OAS General Assembly meeting in Santo Domingo, 5) Three key human rights defenders went on a tour of Santiago, Buenos Aires, and Montevideo and met with political party leadership, National Assemblies, civil society leadership, and media outlets.

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¶6. (C) All of these visits included a strong appeal to send letters to President Chavez and other BRV leaders expressing international concern. To date dozens of letters have been received by the National Assembly from groups such as the International Federation of Human Rights Defenders (Geneva), the Inter-American Commission on Human Rights (Washington), the Latin American Promotion Organization (Costa Rica), and others. One group, Conectas (a Brazilian NGO and member of CIVICUS) has taken on the Venezuelan draft legislation as a project, sponsoring forums, video conferences and inviting Venezuelans to Brazil to speak about the law. Finally, USAID brought four experts from abroad to Venezuela to discuss the legislation in the international framework and show solidarity with Venezuelan civil society.

Media

¶7. (C) The media also played a key role in raising public awareness about the NGO law. While the Venezuelan media responded with vigor and enthusiasm to the various events and high level international visitors, with visible concern regarding the law, USAID fed information to PAS to distribute it both to the national and international press. This, while sponsoring events which gave the media issues to report on and important quotes from high level civil society leaders, led to over 42 articles in the nationwide press (picked up by countless local papers), and dozens of television and radio spots. This press coverage raised the public profile of the NGO law, ensuring that it be picked up by Reuters, AFP, and many other international papers and news sources. The resulting national and international outcry caused NA MVR Deputy Saul Ortega to lament that civil society had "waged war against the law", during the first discussion in the National Assembly of the International Cooperation Law.

Diplomatic Activities

¶8. (C) It was very important that the USG not become the main spokesperson, and hence the "lightning rod", for the international community's response to the law. Immediately after the progress of this law became public, an aidoff met with officers from the Canadian Embassy to request that they take the lead in the diplomatic effort to resist the law - specifically, requesting that they invite the diplomatic community and some key Venezuelan human rights defenders to speak about the law. The following day, Ambassador Brownfield went to a G8 lunch, where the Canadian Ambassador (supported by Ambassador Brownfield) brought up the issue and allowed the ambassadors present to learn about the problem and express their concern.

¶9. (C) The June 1st Canadian Embassy event led to the Austrian Embassy (replaced on July 1st by the Finnish Embassy in the position of the rotating Presidency of the EU), the Canadian Embassy, the British Embassy and the EU to take the lead in demarching the BRV. They held various meetings with the National Assembly, Vice President Jose Vicente Rangel, the Chancellor, and other BRV political leadership, keeping aidoffs informed of their activities but never with USG in the forefront.

¶10. (C) Members of the Foreign Affairs Commission of the National Assembly (Presided by NA Deputy Saul Ortega) called the Finnish Ambassador to Venezuela to a meeting during the first week of August, 2006. He was told that due to the pressure that they were receiving, as well as the bad press generated, the law was going to be put "on hold" until 2007. However, in other discussions, National Assembly members still commit to passing the law this calendar year.

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Steps Forward

¶11. (C) While the approval of the International Cooperation Law has been delayed, it is by no means off the agenda. The BRV will likely revive the draft law at a time of their choosing, probably after the December presidential election. Although there has been a great deal of discussion in Venezuela about the law, there are many NGOs that are still unaware of the draft legislation, especially in the interior of the country. USAID will encourage vigilance by supporting the creation of a bilingual web site focused on the law, with up-to-the minute information regarding the law as well as a large database of civil society groups in Venezuela and abroad. USAID is also financing the design of three commercials, to be disseminated through the internet, which will raise awareness regarding the law. Finally, USAID will continue to sponsor events in Venezuela, support international visits, and mobilize international and local concern regarding the increasing threats toward Venezuelan NGOs.

Comment

¶12. (C) Knowing the furor this law would cause, the National Assembly was attempting to approve it quickly and quietly. Embassy Caracas' efforts ensured that this was brought to light so civil society had the opportunity to organize and push back. Due to its placement within the US Embassy in Caracas, USAID/OTI had the on-the-ground contacts and relationships to quickly and discretely organize a response to the law. The main Venezuelan groups with whom USAID worked for this initiative were the NGO umbrella association Sinergia, backed by its over 40 member NGOs; along with Foro Por la Vida, a network of over 15 human

rights organizations; as well as the traditional Venezuelan universities (specifically the Central Venezuelan University and the Catholic University Andres Bello). On the diplomatic front special credit should be given to both the Canadian and Finnish Embassies for their hard work in opposing this law.

¶13. (C) The ability to affect the BRV in this particular case demonstrates BRV officials' keen desire to preserve the appearance of democracy, and their sensitivity when it comes to criticism, particularly from abroad. Democracy has won this round. However, the BRV will bring the issue up again. We, along with the diplomatic community, international organizations, and Venezuelan civil society will remain vigilant, and continue to decry a law to neuter the NGOs and further undermine Venezuelan Democracy.

WHITAKER